

1 SEDGWICK, DETERT, MORAN & ARNOLD LLP  
2 BRUCE D. CELEBREZZE Bar No. 102181  
3 bruce.celebrezze@sdma.com  
4 MATTHEW C. LOVELL Bar No. 189728  
5 matthew.lovell@sdma.com  
6 DEAN J. MCELROY Bar. No. 213132  
7 dean.mcelroy@sdma.com  
8 One Market Plaza  
9 Steuart Tower, 8th Floor  
10 San Francisco, California 94105  
11 Telephone: (415) 781-7900

12 Attorneys for defendant and counterclaimant  
13 HARTFORD UNDERWRITERS INSURANCE COMPANY

14 BOWLES & VERNA LLP  
15 MICHAEL P. CONNOLLY Bar No. 238478  
16 mconnolly@bowlesverna.com  
17 ROBERT I. WESTERFIELD Bar No. 112183  
18 rwesterfield@bowlesverna.com  
19 2121 N. California Blvd, Suite 875  
20 Walnut Creek, California 94596  
21 Telephone: (925) 935-3300

22 Attorneys for plaintiff and counterdefendant  
23 CONTRA COSTA WATER DISTRICT

24 UNITED STATES DISTRICT COURT  
25 FOR THE NORTHERN DISTRICT OF CALIFORNIA

26 CONTRA COSTA WATER DISTRICT,

27 Plaintiff,

28 v.

HARTFORD UNDERWRITERS  
INSURANCE COMPANY; and Does 1  
through 10, inclusive,

Defendants.

HARTFORD UNDERWRITERS  
INSURANCE COMPANY,

Counterclaimant,

v.

CONTRA COSTA WATER DISTRICT,  
Counterdefendant

CASE NO. CV 09-0983 MMC

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE JUNE 18, 2010  
FURTHER CASE MANAGEMENT  
CONFERENCE AND DATES FOR RULE  
26(A) INITIAL DISCLOSURES AND  
EXCHANGE OF DOCUMENTS**

**AND ORDER THEREON**

**Courtroom: 7**

**Judge: Hon. Maxine M. Chesney**

Per Northern District Local Rule 16-2(d) and (e), plaintiff and counterdefendant Contra Costa Water District ("CCWD") and defendant and counterclaimant Hartford Underwriters Insurance Company ("Hartford"), by and through their counsel of record, stipulate as follows:

#### **RECITALS**

The Court held the initial case management conference in this matter on March 12, 2010. The parties informed the Court at the conference and in their joint case management statement filed March 5, 2010 (Document No. 28), that they desire to continue the mediation they began on October 8, 2009, and that they were trying to schedule a continued mediation session with the Hon. Ronald M. Sabraw (Ret.) at JAMS for a date in April 2010.

The Court continued the matter for a further case management conference on June 18, 2010 (Document No. 29), but did not set any discovery deadlines or pretrial or trial dates. The Court also allowed the parties to defer making their respective Rule 26(a) initial written disclosures and initial exchange of documents until after they return to mediation.

Due to conflicting calendars of Judge Sabraw, the parties' representatives, and the parties' counsel, the parties have not yet returned to mediation. However, the parties have agreed to participate in a further mediation session with Judge Sabraw on Friday, July 16, 2010. Moreover, although the parties have not yet been able to return to mediation, they have continued to exchange information and documents in order to narrow the issues for mediation.

At the March 12, 2010 case management conference, the Court advised the parties that if they needed more time to try to resolve this matter, they should submit a stipulation requesting a continuance of the June 18, 2010 case management conference. Although the parties do not wish in any way to unnecessarily delay the litigation of this matter, they believe it is prudent to return to mediation in an effort to settle their disputes before substantial resources are expended in making Rule 26(a) initial disclosures, conducting other discovery, and otherwise preparing the case for trial.

Therefore, in the interest of saving time, money, and the Court's resources, the parties request that the June 18, 2010 case management conference be continued to July 30, 2010 (two weeks after the further mediation session) or a convenient date thereafter, that the case be stayed

until that time, and that the parties' Rule 26(a) disclosures and exchange of documents be postponed until after the date of the next case management conference.

**STIPULATION**

Based on the foregoing Recitals, CCWD and Hartford agree and stipulate as follows:

(1) The further case management conference scheduled for June 18, 2010, shall be continued to July 30, 2010 or a convenient date thereafter;

(2) The parties shall submit a joint case management statement one week before the date of the further case management conference;

(3) All discovery and law and motion practice in this case shall be stayed until after the further case management conference, including the parties' Rule 26(a) initial written disclosures and exchange of documents.

IT IS SO STIPULATED.

DATED: June 10, 2010

SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: /s/ Matthew C. Lovell

Bruce D. Celebrezze

Matthew C. Lovell

Dean J. McElroy

Attorneys for Defendant and Counterclaimant HARTFORD  
UNDERWRITERS INSURANCE COMPANY

DATED: June 10, 2010

BOWLES & VERNA LLP

By: /s/ Robert I. Westerfield

Robert I. Westerfield

Michael P. Connolly

Attorneys for plaintiff and counterdefendant CONTRA  
COSTA WATER DISTRICT

**ATTESTATION OF FILING**

Pursuant to General Order 45.X.B, I attest that I have obtained concurrence in the filing of this document from the parties listed above.

/s/ Matthew C. Lovell

Matthew C. Lovell

**ORDER**

PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED THAT:

(1) The further case management conference scheduled for June 18, 2010, shall be continued to July 30, 2010;

(2) The parties shall submit a joint case management statement one week before the date of the further case management conference;

(3) All discovery and law and motion practice in this case shall be stayed until after the further case management conference, including the parties' Rule 26(a) initial written disclosures and exchange of documents.

DATED: June 11, 2010

  
HON. MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE